

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

LAURA M. WELK,

No. CV-12-0507-JTR

Plaintiff,

V.

CAROLYN W. COLVIN,  
Commissioner of Social Security,

ORDER GRANTING STIPULATED  
MOTION FOR REMAND  
PURSUANT TO SENTENCE FOUR  
OF 42 U.S.C. § 405(g)

Defendant.

**BEFORE THE COURT** is the parties' stipulated Motion for Remand of the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 18. Attorney Paul L. Clark represents Plaintiff; Special Assistant United States Attorney Thomas M. Elsberry represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 3. After considering the file, and proposed order,

**IT IS ORDERED:**

1. The parties' Stipulated Motion For Remand, **ECF No. 18**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the administrative law judge (ALJ) shall: (1) provide Plaintiff with an opportunity for a new hearing, including the opportunity to testify and submit additional evidence and argument, and enter a new decision; (2) address the

1 severity of Plaintiff's migraine headaches and other impairments at step two; (3)  
2 further evaluate Plaintiff's mental impairments pursuant to the special technique in  
3 20 C.F.R. § 404.1520a; (4) obtain medical expert testimony regarding the nature  
4 and severity of Plaintiff's mental and physical impairments and the limitations that  
5 could reasonably result from her combined impairments; (5) reassess Plaintiff's  
6 maximum residual functional capacity in accordance with Social Security Ruling  
7 (SSR) 96-8p, and in so doing, further evaluate the medical and other opinion  
8 evidence, including the opinions of John Robinson, Ph.D., (Exhibit 19F) and the  
9 Veteran's Administration rating decision (Exhibit 19E) in accordance with 20  
10 C.F.R. § 404.1527 and SSRs 96-2p, 96-5p, 96-6p and 06-03p; and (6) if the  
11 sequential evaluation process proceeds beyond step three, reevaluate steps four and  
12 five of the sequential evaluation with the assistance of a vocational expert (VE).

2. Judgment shall be entered for **PLAINTIFF**.

3. Plaintiff's Motion for Summary Judgment, **ECF No. 12**, is

## STRICKEN AS MOOT.

4. An application for attorney fees may be filed by separate motion.

The District Court Executive is directed to enter this Order, forward copies to counsel, and **CLOSE THE FILE**.

DATED December 16, 2013.



0, 2013.  
  
JOHN T. RODGERS  
UNITED STATES MAGISTRATE JUDGE